

EXHIBIT Z 1

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32ND LEGISLATURE OF THE UNITED STATES VIRGIN ISLANDS
Charlotte Amalie, St. Thomas

REGULAR SESSION

Part 5

June 27, 2017

Earle B. Ottley Legislative Hall

St. Thomas, U.S. Virgin Islands

SENATORS PRESENT:

SENATOR MYRON D. JACKSON - President
SENATOR NEREIDA RIVERA-O'REILLY - Vice President
SENATOR MARVIN BLYDEN
SENATOR DWAYNE DEGRAFF
SENATOR JEAN FORDE
SENATOR NOVELLE FRANCIS, JR.
SENATOR ALICIA HANSEN
SENATOR NEVILLE JAMES
SENATOR JANETTE MILLIN YOUNG
SENATOR POSITIVE T.A. NELSON
SENATOR TREGENZA ROACH
SENATOR SAMMUEL SANES
SENATOR BRIAN SMITH
SENATOR KURT VIALET

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Ms. Ivy Moses - Resident
 Ms. Janelle K. Sarauw - Resident
 Ms. Bridgette Berry - President
 Mr. Glen Smith - Resident

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1 SENATOR RIVERA-O'REILLY CHAIRING MEETING...

2 SENATOR RIVERA-O'REILLY: We are back on the
3 record. Madam Clerk would you please read the last block of the
4 agenda into the record?

5 MS. WARNER: Block 4. Invited testifiers: Ms. Ivy
6 Moses - Resident; Ms. Bridgette Berry - Resident, Ms. Janelle K.
7 Sarauw - Resident; Mr. Glen Smith - Resident.

8 SENATOR RIVERA-O'REILLY: Thank you Madam Clerk. In
9 addition to the testifiers that were just called, Mr. Kevin
10 Rodriquez as well as his counsel are also afforded the
11 opportunity to join us and remain in the well while the
12 testifiers offer their testimony. This will allow also for Mr.
13 Rodriquez and his counsel to offer any closing remarks and offer
14 any statements to clarify any comments made by the testifiers
15 regarding the issue.

16 I am speaking very slowly because I am trying to
17 give Mr. Rodriquez and his counsel the time to walk into the
18 well and join us. Mr. Glen Smith is not testifying? Very well
19 then. Mr. Rodriquez is going to join us with his counsel.

20 Good evening ladies. Welcome. You have been here
21 a long time. We appreciate your patience. Attorney Jackson
22 will you be joining your client?

23 ATTORNEY JACKSON: Yes.

24 SENATOR RIVERA-O'REILLY: As we promised earlier
25 you will be given an opportunity to offer closing remarks in

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1 response to anything that is said by the testifiers. Okay?

2 ATTORNEY JACKSON: Thank you.

3 SENATOR RIVERA-O'REILLY: So we will ask the
4 testifiers before they begin to state their name and title for
5 the record. And we will begin with Ms. Ivy Moses.

6 MS. MOSES: Ivy Moses. Founder and CEO of HOPE Inc.

7 MS. SARAUW: Janelle Sarauw - Resident.

8 SENATOR RIVERA-O'REILLY: Ms. Moses you can proceed
9 with your testimony please.

10 MS. MOSES: This is the testimony of IVY Moses.
11 LMSWRN. Founder and CEO of Helping Others in a Positive
12 Environment Incorporated. To the 32nd Legislature of the Virgin
13 Islands of the United States meeting in Committee of the Whole
14 June 27th, 2017. And I'll read verbatim.

15 Good afternoon Honorable Senate President Myron
16 Jackson, Honorable Senators of the St. Thomas St. John District
17 and the District of St. Croix --

18 TESTIFIERS SWORN.....

19 SENATOR RIVERA-O'REILLY: I'm sorry Ms. Moses it's
20 getting late. I'm going to need both of you; both Ms. Sarauw and
21 you to please stand and raise your right hand. Do you solemnly
22 affirm that the testimony that you are about to present here
23 tonight is the truth, the whole truth and nothing but the truth
24 so help you God?

25 TESTIFIERS RESPOND:

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1 MS. MOSES: Yes.

2 MS. SARAUEW: I do.

3 SENATOR RIVERA-O'REILLY: You may be seated. And
4 you can resume Ms. Moses. I apologize.

5 MS. MOSES: Good afternoon Honorable Senate
6 President Myron Jackson, Honorable Senators of the St.
7 Thomas/St. John District and the District of St. Croix, Attorney
8 General Claude Walker, State Chair of the Democratic Party and
9 former congresswoman Donna M. Christensen, invited testifiers,
10 the listening audience and the viewing audience.

11 My name is Ivy Moses. I am a native St. Johnian who
12 have had the pleasure of wearing several hats in the Virgin
13 Islands community. Each of them I wear with pride as each hold
14 a semblance of responsibility focused on moving the Virgin
15 Islands community forward and to a better place.

16 I am a social worker, a registered nurse, District
17 Chair of the St. Thomas -- sorry. District Chair of the St.
18 John District Democrat Committee, sitting member of the St.
19 Thomas/St. John District board of Elections and founder and CEO
20 of Helping Others in a Positive Environment better known as HOPE
21 Inc or the HOPE Clinic - a non-profit clinic that has provided
22 primarily free and sometimes reduced cost to HIV, heart disease,
23 hypertension, diabetes and obesity prevention services
24 throughout the Territory to over thirty thousand individuals
25 within the past 17 years. This year alone HOPE has had the

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1 pleasure of providing services, educating and managing health
2 services to more than eight hundred individuals at risk for
3 preventable chronic diseases on the islands of St. Thomas, St.
4 John and St. Croix.

5 Unfortunately due to concerns related to funding
6 caused by an inability to receive funding for a grant that was
7 approved but not funded by the Centers for Disease Control and
8 Prevention as well as overhead cost, the HOPE Clinic was forced
9 to take an unfortunate hiatus on May 31st 2017, causing
10 interruption to much needed chronic disease prevention services
11 to include testing for HIV, blood pressure screenings and
12 glucose screenings territorial wide.

13 I was invited and accepted the invitation to speak
14 to the members of the 27th (sic) Legislature specific to the
15 role of Mr. Kevin Rodriguez and his affiliation or in this case,
16 past affiliation with HOPE Inc. Specifically the personal
17 address -- to personally address that Mr. Rodriguez used --
18 specifically the personal address that Mr. Rodriguez used as a
19 contractual worker with HOPE Inc. I will only be available for
20 a short period of time after today's testimony to answer
21 questions as a close family member after just under a week in
22 the intensive care unit was released to the medical unit at the
23 Roy L. Schneider Hospital where he received and continues to
24 receive excellent care and services from the dedicated and
25 committed staff members of the Myrah Keating Smith Health

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1 Center, the Roy L. Schneider Hospital emergency room staff as
2 well as the intensive care unit.

3 In 2004/2005 bonded as friends and remained friends
4 through many hurdles that Mr. Kevin Rodriguez went through until
5 2014. In 2012, I agreed to employ Mr. Rodriguez at HOPE Inc to
6 set up a much needed men's health program in a temporary
7 contractual position as the men's health coordinator. Mr.
8 Rodriguez' initial contract was specific to one year: January to
9 December 2013. The contract was specific to setting up a men's
10 men health program for men at risk, for HIV, diabetes,
11 hypertension and obesity.

12 After twelve months of paying Mr. Rodriguez sixty
13 thousand dollars as a contractor, Mr. Rodriguez requested an
14 extension of the contract. The extension was for one additional
15 year. At the end of the second year, HOPE still did not have a
16 viable men's health program. In 2015 Mr. Rodriguez requested an
17 additional three-month contract with HOPE with the promise that
18 he would conduct four men's health sessions at UVI and in the
19 community. Despite the fact that after two years his
20 performance was minimum, I allowed Mr. Rodriguez under the
21 supervision of the Prevention Program Director to try to do as
22 he promised. Needless to say, Mr. Rodriguez had to be
23 terminated in April 2015.

24 While I will not be able to release tax
25 documentation, I can and have released the 2013 contract

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1 agreement that specifies Mr. Rodriguez' role at HOPE Inc, the
2 2014 Extension of Contract and Final Check Notice, all of which
3 were addressed to Nashville, Tennessee.

4 I hope that what I have said today will assist in
5 making the decision right. Please feel free to ask me any
6 question that you may wish as it pertains to this issue at hand.
7 I will be more than happy to answer all questions.

8 SENATOR RIVERA-O'REILLY: Thank you Ms. Moses.
9 Ms. Sarauw?

10 MS. SARAUW: Good evening to the Senate Body, those
11 in the chambers and those listening and viewing. I am Janelle K.
12 Sarauw. On November 21st, 2016, the Forward Movement Team
13 received an anonymous email that contained Mr. Kevin Rodriguez'
14 bankruptcy documents. The attachment contained detailed
15 reports of the four bankruptcy filings over a six-year period.
16 It was only a matter of hours in which the information and the
17 reports were validated and a challenge of his residency claim
18 was hand-delivered to the Board of Elections that very same day
19 with a copy mailed and emailed to Ms. Caroline Fawkes. The
20 Forward Movement Team maintains that Mr. Rodriguez does not meet
21 the eligibility requirements detailed in the Revised Organic Act
22 as it pertains to one being a bona fide resident of the Virgin
23 Islands for three years preceding the date of the election.

24 Contrary to what propaganda would have you believe,
25 this challenge was submitted to the board prior to the

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1 certification of the general election. Per Title 18, Chapter 3,
2 Subsection 47, Item 8. "After the challenge the board must
3 investigate irregularities". And this was not done.

4 On November 22nd, 2016, with the challenge in hand,
5 Mr. Watlington's response was a resounding dismissal of the
6 challenge. He threw the paper on the side and said take it to
7 court. And we did.

8 On November 22nd, 2016, the Board of Election with
9 a valid challenge in hand voted to certify the general election.
10 Later during the court proceedings Mr. Fawkes proclaimed to not
11 have addressed the challenge due to timeliness. However in the
12 Bryan case the Supreme Court wrote: "Notably the Superior
13 Court in the well reasoned decision issued more than three
14 decades ago previously explained that Section 411B authorized
15 the Supervisor of Elections to continue to view a candidate's
16 qualifications notwithstanding the deemed to be valid provisions
17 of Section 412".

18 One cannot determine new information or when it
19 will be received as supported in the Bryan case. Furthermore,
20 does the concern of timeliness supercede adhering to the laws of
21 the Virgin Islands as described in the Revised Organic Act? The
22 ROA provides that the Board of Elections is charged with the
23 duty of directing the administration of the electoral system of
24 the Virgin Islands. At the outset of the election process, the
25 Board of Elections a popularly elected and independent entity is

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1 in power to determine a candidate's qualifications.

2 Title 18 says that the board is authorized to
3 determine that a candidate for election or nomination does not
4 meet the qualifications established by law for the office and
5 disqualifies such candidate from an election. Bryan v. Fawkes
6 also state that the power to determine whether a candidate meets
7 the minimum qualifications for office so as to appear on a
8 general election ballot is clearly not exclusive to the
9 Legislature. Once the election occurs the Board of Elections
10 has the power to certify the results.

11 Between the certification of the election and the
12 time the Legislature convenes, a court may review election
13 challenges that may change the results of the election which may
14 occur. For example if there has been fraud.

15 Needless to say, after months of legal wrangling, a
16 Special Election was called. The very same Board of Election
17 came before this Body requesting an appropriation of funds to
18 carry out the Special Election. Where were their concerns of
19 certifying a new election then? Where were the concerns from
20 the board about decertifying Mr. Rodriguez when they sanctioned
21 14 candidates to run in the Special Election.

22 Ninety thousand was appropriated by this Body and
23 on April 8th, 2017, a Special Election was held and a winner
24 declared. But of course the legal wrangling will continue
25 shifting the issue from that of residency to jurisdiction. And

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1 now here we are at this juncture.

2 What we face at this moment is truly a threat to
3 our democracy. The truth of the matter is that at some point
4 each agency or branch had jurisdiction over this matter. The
5 Democratic Party disenfranchised other party members when they
6 allowed someone ineligible to run in their Party's Primary.
7 The Board of Election failed miserably at the task at hand.
8 The Superior Court was asked by the Supreme Court to apply the
9 proper test and that was not done prior to the removal of the
10 case at the District Court. This Body also had a duty. And the
11 candidate in question was also not truthful in his statements
12 before the courts.

13 As unpopular as the position my team and I took, it
14 was a necessary one. It is and always has been a position for
15 transparency and accountability. A position for a Virgin
16 Islands our generation will undoubtedly inherit, a position for
17 a fair and honest Virgin Islands. And so on this position we
18 could not be silent.

19 From the pulpit Dr. King stated there comes a time
20 when silence is not an option. There comes a time when silence
21 is betrayal. It is in this faith we spoke up. Despite the
22 naysayers, slanderers and threats, the Forward Movement Team
23 exhibited the courage to act, pursuing justice regardless of how
24 difficult, for the endearing benefit of a better Virgin Islands.

25 We cannot fail to identify that despite what is

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1 best for the people of the Virgin Islands on a whole, Party
2 leaders and loyalists continue to deflect the root cause of the
3 problem. They have conveniently switched the topic of the
4 argument to who should decide the fate of Mr. Rodriquez, not at
5 all addressing the crux of the matter which is that Mr.
6 Rodriquez, under oath, claimed he was a resident of the state of
7 Tennessee in order to receive the full benefits the laws of that
8 state affords. We cannot omit such a crucial detail; for it is
9 the reason why we are caught up in this election debacle in the
10 first place.

11 In making your decision today, there are key
12 questions one must ask. One. When Mr. Rodriquez during his
13 financial hardship returned to the Territory to work at HOPE
14 Inc, what address did he list on file? No matter how many
15 people testify in this chamber that Ms. Rodriquez was seen living
16 and working here, it does not mean he was a resident.

17 To give an example. Is a travelling nurse a
18 resident? A travelling nurse would live and work here, but are
19 they a resident? Many locals in the jewelry industry leave to
20 work seasonally in Alaska during the Summer. Are they now
21 residents of the state of Alaska? The answer is no.
22 Contracted employees are deployed to various corners of the
23 earth to work. What determines their residency and the benefits
24 associated with such?

25 Mr. Rodriquez as he testified in court came here to

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1 work because he was experiencing financial hardships in
2 Tennessee. His domicile was in Tennessee. Per Section 18 262
3 of the Code, there can be but one domicile or residence which is
4 the place a person habitually resides when not called elsewhere
5 for work or for some other temporary purpose.

6 In addition it states: Domicile cannot be lost
7 until a new one has been acquired. When did Mr. Rodriquez
8 reestablish his domicile or residence in the Virgin Islands?
9 Two. When were his tax returns filed? Three. When did Mr.
10 Rodriquez obtain a V.I. Driver's License? Do you know that
11 according to Tennessee law, possession of a driver's license
12 among other documents indicate proof of residency. Is it safe
13 to assume that his Tennessee license was not switched out until
14 last July because he needed it as as one of the documents during
15 his bankruptcy proceedings in Tennessee? Four. On his
16 bankruptcy documents, where are 90 percent of his creditors
17 located? They are not in the Virgin Islands. They are in the
18 state of Tennessee. Five. Are you aware that in May of 2016,
19 another case was filed by Mr. Rodriquez and he won a settlement
20 in Tennessee where he swore again that he was a resident of the
21 state and then just two weeks later filed nomination papers here
22 in the Board of Elections alleging that he was a resident of
23 this Territory.

24 The questions posed are not personal. They are not
25 an attack on Mr. Rodriquez. I am not celebrating or rejoicing on

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1 the many hard times he fell on because we all endure financial
2 tribulations. This case is not about that. It's about the law.
3 Do we bend and twist the law to suit us? Do we abrogate the
4 tenants of the Revised Organic Act for our personal gain?
5 Despite Party politics, fourteen of you are here representing
6 one hundred and ten thousand people. And it's incumbent for you
7 as the lawmaking Body to make the best decision that will not
8 lead to further ramifications. It is unbelievable that I am
9 here in this hall giving testimony regarding someone's sworn
10 statements. Not mine, but his.

11 Every time Mr. Rodriquez was asked where do you
12 live? Where have you lived in the past three years? Where
13 have you resided in the past 180 days? What is your address?
14 It was always Tennessee. The only time, the only time -- the
15 Virgin Islands was claimed as a place of residence was for
16 election purposes, to run for office. This precedential vote
17 today dares to raise the question, some of the most fundamental
18 of our time. Is one nation under God with liberty and justice
19 for all still possible? Is the Virgin Islands with the motto
20 "United in Pride and Hope" still possible? Do the laws of the
21 land as described in the Revised Organic Act apply to all of us
22 or just the rest of us? This is not a complicated matter at
23 all. Smoke screens and a series of inconsistent testimonies have
24 been laid to make this seem unclear.

25 Now we the people are left to ask, what would really

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1 prevent our representatives from making a sound judgment in
2 regards to upholding the laws of these U.S. Virgin Islands? It
3 is my fervent hope that Party politics do not prevail over
4 territorial health. I'm open for any questions. Thank you.

5 SENATOR RIVERA-O'REILLY: Thank you Ms. Sarauw. We
6 will begin with a five-minute round. And we will start with
7 Senator Roach. We're going to work our way down all the way
8 around. And once we have completed that round we will allow for
9 Attorney Jackson and his client Mr. Rodriquez to place their
10 closing comments on the record. Is that fair enough?

11 ATTORNEY JACKSON: Yes thank you.

12 SENATOR RIVERA-O'REILLY: Very well. Attorney
13 Roach. Senator Roach, Attorney Roach.

14 SENATOR ROACH: Thank you Madam Chair. Good evening
15 to the last round of testifiers. Ms. Sarauw?

16 MS. SARA UW: Good evening.

17 SENATOR ROACH: How are you?

18 MS. SARA UW: I'm well. How are you?

19 SENATOR ROACH: Good. Good thanks. I want to say as
20 I have said to you and on the record that I commend both you and
21 Mr. Rodriquez because I believe that if you believe in
22 something, you ought to go the length. You ought to go the
23 distance. And so you believe that a violation of law has taken
24 place and you have turned every stone to come to a resolution.
25 And Mr. Rodriquez has done the same.

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1 Ms. Moses, how are you?

2 MS. MOSES: I am excellent.

3 SENATOR ROACH: Good. Now you indicated that you
4 are a member of the St. Thomas/St. John Board - District Board
5 of Election, correct?

6 MS. MOSES: Correct.

7 SENATOR ROACH: When were you elected to the board?

8 MS. MOSES: 2014.

9 SENATOR ROACH: 2014. And you were the Director of
10 HOPE --

11 MS. MOSES: Correct.

12 SENATOR ROACH: -- in January of 2013 when Mr.
13 Rodriquez began working there, correct?

14 MS. MOSES: Correct.

15 SENATOR ROACH: Okay. Now you say at the end of
16 your testimony, you addressed an issue that we've been talking
17 about consistently throughout the proceeding and that is whether
18 Mr. Rodriquez was a contractor or an employee at HOPE. And your
19 from your knowledge he was a consultant and not a permanent
20 employee, correct?

21 MS. MOSES: Every document that I have and I believe
22 that it should have been --

23 SENATOR ROACH: Hold the microphone up a little. I
24 don't think you're being picked up.

25 MS. MOSES: All documents that I have and I have

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1 Mr. Rodriguez' personnel file here on hand, every document that
2 I have on hand states very clearly that Mr. Rodriguez was hired
3 and remained a contractor until the termination date. There was
4 one lapse in the contract. And that is when Mr. Rodriguez I
5 believe went to work for the Attorney General's Office where he
6 was shortly terminated in January.

7 SENATOR ROACH: Okay. So you believe that when he
8 was working for you and he began working for HOPE in 2013 and
9 for that year, you do not believe that he was a resident of the
10 Virgin Islands; is that correct?

11 MS. MOSES: He was not.

12 SENATOR ROACH: Okay. So then I have to ask you
13 this question. As a member of the Board of Elections who has
14 the responsibility I believe with the Supervisor of Elections
15 and I think most persons would agree, to be sure. I think all
16 of us as Senators we get blame for one another, right? And so
17 my only question to you would be, if you believed that Mr.
18 Rodriguez was not a resident for the requisite period and that
19 he was in fact misrepresenting that to the Board of Elections,
20 do you think it was your duty to bring that information to the
21 board and have that addressed at that time?

22 MS. MOSES: I think that as a St. Thomas/St. John
23 District board member and a representative from St. John at
24 that, that had the information that I now have been questioned,
25 then indeed I would have been able to go back to my files and

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1 make a decision to bring that information to the board. It was
2 never thought about on my behalf until after the fact.

3 SENATOR ROACH: Were you aware of the filing in the
4 bankruptcy case?

5 MS. MOSES: No. I learned of that the day of the
6 certification.

7 SENATOR ROACH: The day of the certification.
8 What date would that be?

9 MS. MOSES: I am not 100 percent sure of the date.
10 But whatever date we certified the general election, that is the
11 date that I received an email from the administrative assistant
12 from the Board of Elections and that was the first notification
13 of the bankruptcy.

14 SENATOR ROACH: I have to tell you; I just have a
15 limited amount of time left, but I have to tell you, your
16 response is troubling to me. And you and I know each other.
17 Just like, it's a small island where all of us know one another.
18 But it's troubling to me that something so important as to
19 whether a person who is seeking an elected office meets an
20 important criterion --

21 TIMEKEEPER: Time.

22 SENATOR ROACH: -- under the Organic Act, that, that
23 wouldn't be brought to the membership. It just troubles me
24 and I have to put that on the record.

25 MS. MOSES: And that's fine.

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1 SENATOR ROACH: Thank you both for your testimony.

2 Thank you Madam Chair.

3 SENATOR RIVERA-O'REILLY: You're welcome Senator
4 Roach. Senator Hansen you're recognized for five minutes.
5 Young.

6 SENATOR HANSEN: Greetings Ms. Moses.

7 MS. MOSES: Good evening.

8 SENATOR HANSEN: Ms. Sarauw, Kevin Rodriquez and
9 Attorney Jackson. Boy you look like you aint custom to
10 work at night or you worked too many nights already. Let me
11 just begin by asking this question.

12 Ms. Moses you said that Mr. Rodriquez, in your
13 testimony, had some kind of relationship with your agency in
14 2014?

15 MS. MOSES: Yes. He was the men's health
16 coordinator.

17 SENATOR HANSEN: Okay. So in 2014 then it's safe to
18 say he was a resident of St. Thomas.

19 MS. MOSES: He was a contracted employee. So I
20 cannot say.

21 SENATOR HANSEN: I know you aint going to want to
22 say that. But you said that you had some relationship; he
23 had one with your agency in 2014.

24 MS. MOSES: Correct.

25 SENATOR HANSEN: You have this agency extended

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1 somewhere in the states or Tennessee?

2 MS. MOSES: No.

3 SENATOR HANSEN: Okay. So then it is safe to say
4 that in 2014, at least in 2014 based on your testimony, your
5 personal knowledge that he was a resident of St. Thomas.

6 MS. MOSES: I can honestly say that he lived on St.
7 Thomas. I cannot say that he was a resident of St. Thomas.

8 SENATOR HANSEN: He lived you said?

9 MS. MOSES: Excuse me?

10 SENATOR HANSEN: You said you can honestly say that
11 he lived on St. Thomas?

12 MS. MOSES: That he lived on St. Thomas at that
13 time.

14 SENATOR HANSEN: Okay that's cool enough. I born in
15 Puerto Rico and I live on St. Croix for a long time. And I
16 still go Puerto Rico.

17 You all were here Ms. Janelle Sarauw and Ms. Moses
18 when testimonies were taken place where I asked some
19 questions of our Chief Legal Counsel? I know Ms. Sarauw
20 you were here, right? For the record.

21 MS. SARAuw: Yes I was.

22 SENATOR HANSEN: And what about you Ms. Moses?

23 MS. MOSES: I came late. And I've been here --

24 SENATOR HANSEN: So you may have missed it.

25 MS. MOSES: -- and the hospital, so I'm not sure.

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1 SENATOR HANSEN: Okay no problem. At least Ms.

2 Janelle was here. And I raised the question about a member
3 of Congress, of the 89th Congress, where he was accused of
4 committing a crime. And the 90th Congress refused to seat
5 the member. And the Supreme Court said you can't use that
6 to stop the member from being seated. Ms. Sarauw was here
7 at the time, correct, when the legal counsel described it?

8 MS. SARAUW: I was.

9 SENATOR HANSEN: And supported my knowledge of
10 that. So I bring that to say that if we are going to be
11 fair to everybody and I'm sure you all have heard me on my
12 own show say 'cause nobody don't miss that. You could
13 pretend like you miss it, but I know you all does listen.
14 That it's not fair to Kevin Rodriguez. And what took place
15 with Ms. Sarauw, it's not fair to her either.

16 The system caused both to be in this demise. And
17 it's not a comfortable situation; but it didn't had to be
18 that way. If we are fair we are only to look at what's in
19 the Organic Act specifically. And then we had brought the
20 case -- the Powell case, Adam Powell I think it is Chief?
21 Adam Clinton Powell to be even more specific where the
22 Supreme Court of the United States said ah, ah, you can't
23 stop somebody from getting seated because they committed a
24 crime.

25 Right now all day I've been asking because then we

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1 could start evaluating certain things. What is the charge in
2 the Senate against Kevin Rodriquez? Now we are in the last
3 round and we still don't have a charge against Kevin
4 Rodriquez. What is the charge? Oh it's under advisement,
5 that's correct, since this morning.

6 Don't worry that's Judge Judy. No, but seriously.
7 What is the charge so we could work on that charge. A
8 letter that somebody sent to somebody is not a charge.

9 TIMEKEEPER: Time.

10 SENATOR HANSEN: And then there was no cross
11 examination? None of us would like to be treated that way.
12 And I supported you, you know, when they were talking a
13 bunch of nonsense, Ms. Ivy Moses.

14 TIMEKEEPER: Time.

15 MS. MOSES: Thank you very much for that.

16 SENATOR HANSEN: Yeah I supported you and I kick
17 some hell on your behalf too.

18 MS. MOSES: I appreciate it.

19 SENATOR HANSEN: And you know about it.

20 MS. MOSES; I really do.

21 SENATOR HANSEN: Thank you. Thank you Madam Chair.

22 SENATOR RIVERA-O'REILLY: You're welcome Senator
23 Hansen. Senator Millin Young?

24 SENATOR MILLIN YOUNG: Thank you Judge Nellie.
25 Everyone it has been quite a time today and it culminates

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1 with these two rising stars in politics. Ivy I know you
2 aint a little girl, but you're still a rising star. Ivy
3 Moses for transparency sake is one of my very, very good
4 friends and Soror and I really appreciate all that she does
5 in this community. And as I noted earlier, I don't know
6 Janelle as well. I know you, but we never had deep
7 conversations; so I can't speak to know you. But of course
8 you come of the Levron Sarauw stock so I have to love you
9 for that. And I know that you have quite a future before
10 you.

11 But today we were here about process. And if it
12 you were Ms. Sarauw or you Ms. Moses who was sitting in Mr.
13 Rodriquez' seat, I would defend you as hard as I'm defending
14 him because it's not about him; it's about the process.

15 As the ranking member of this district after only
16 serving four terms, I can tell you that I am highly
17 disturbed regarding the direction we are taking. Again that
18 seat at the end here should not be vacant this long. We are
19 cheating the residents of this district. And I don't take
20 that lightly.

21 But I don't want to get bogged down on other
22 matters other than residency. Whatever issues took place at
23 HOPE. Of course I have my love for Ivy so I don't want to
24 get into whether Ivy did something wrong or Kevin did
25 something wrong, I don't want to get into all of that.

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1 All I want to do tonight and I heard some words
2 said that we will not be deciding this here tonight and yet
3 another wasted day, wasted taxpayers money and here we are
4 still. But residency is at the core. And it seems to me
5 that I've heard many people, including Senators, noting that
6 Mr. Rodriquez was a resident the whole time. So once again
7 I ask, why are we still here?

8 As my Colleague stated and I stated four times
9 previously, the Colleague got a name. Her name is "Chucky"
10 Hansen. And as I've stated at least four times already,
11 where is the charge? You wouldn't want it to be you. And I
12 wouldn't want it to be me. So I don't have other questions
13 for any of you because you've already stated on the record
14 what you had to say. And I don't question what you said.
15 I'm just questioning the process. And it's not fair.

16 I know the question was asked of Mr. Rodriquez like
17 really? He suppose to say oh yes you're being unfair to me.
18 Yes you're being unfair. And he answered it politically
19 correct. I don't need the rest of my time because I'm only
20 going to reiterate time and again the process is flawed.
21 And I'm speaking behalf of anyone who would be in this
22 position because I know when I won and anybody had come and
23 told me mmm, mmm, you aint getting sworn in. That would
24 have been hell.

25 So everyone thank you for coming - Ms. Sarauw. Ms.

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1 Moses thank you for stepping up to the process and opening
2 yourself up for any questions, but I don't have any
3 pertinent questions for you. I want the process to be fair.
4 Thank you so much Madam Chair.

5 SENATOR RIVERA-O'REILLY: You are welcome Senator
6 Millin Young. Senator DeGraff you are recognized.

7 SENATOR DEGRAFF: Thank you Madam Chair. Good
8 evening testifiers. Question. Ms. Moses, you stated in
9 your testimony that you made the contract with Mr. Rodriguez
10 for one year - January to December 2013.

11 MS. MOSES: Correct.

12 SENATOR DEGRAFF: He worked everyday? Monday to
13 Friday, 365 in 2013?

14 MS. MOSES: He was contracted to work between
15 January and December of 2013.

16 SENATOR DEGRAFF: Right. And did he fulfill that?
17 Did he work everyday?

18 MS. MOSES: I cannot say that he worked everyday.

19 SENATOR DEGRAFF: That's what I trying to figure
20 out.

21 MS. MOSES: No I can't say that he worked everyday.

22 SENATOR DEGRAFF: But you say you have his personnel
23 files.

24 MS. MOSES: I does have his personnel file. And I
25 have the contract in the file. The contract is specific to

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1 providing a service not meeting a time mandate as far as how
2 many hours you come in, don't come in. It is specific to
3 meeting the responsibilities of getting this program up and
4 running.

5 SENATOR DEGRAFF: Okay. So you paid him sixty
6 thousand dollars and you don't know whether he worked --

7 MS. MOSES: To build a program.

8 SENATOR DEGRAFF: So it didn't have to do with
9 coming in and punching a clock Monday to Friday?

10 MS MOSES: No. There was no clock to be punched.

11 SENATOR DEGRAFF: Did he call by phone? Did you
12 ever see him physically there?

13 MS. MOSES: Yes.

14 SENATOR DEGRAFF: A week straight at a time?

15 MS. MOSES: Yes. Most times.

16 SENATOR DEGRAFF: So for the full year he worked.
17 You decided to renew his contract. Another sixty thousand
18 dollars?

19 MS. MOSES: No. The second contract was --

20 SENAOR DEGRAFF: That's for 2014 now.

21 MS. MOSES: The extension was for thirty five
22 thousand.

23 SENATOR DEGRAFF: Okay. So he worked 2013 according
24 to your testimony, January to December, but you sent his
25 document, his information to Tennessee. Okay. He stated he

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1 lived in Tennessee before. But from 2013 -- the years in
2 question for me as I asked Mr. Rodriguez straight point
3 blank, 2013, '14, '15. He worked 2013 for you on a contract
4 sixty thousand.

5 MS. MOSES: Right.

6 SENATOR DEGRAFF: He lived here. He worked 2014 on
7 a contract for you, then he worked three months extension
8 into 2015?

9 MS. MOSES: In 2015 he worked I think it was
10 February to April.

11 SENATOR DEGRAFF: Okay. And then also as a board
12 member -- are you aware that the board could have
13 investigated this issue?

14 MS. MOSES: Right. For me at this point in time,
15 everything is in hindsight. What could have been done,
16 should have been done, wasn't done; everything is in
17 hindsight.

18 SENATOR DEGRAFF: But it is factual at the time
19 that in 2013 he had a contract for sixty thousand dollars
20 that he worked.

21 MS. MOSES: Right.

22 SENATOR DEGRAFF: 2014 he had a contract extension
23 for thirty five thousand dollars that he worked. 2015 he
24 worked -- how much did you pay him for that three months?

25 MS. MOSES: In 2015 he got one hundred and fifty

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1 dollars daily for the days that he did work.

2 SENATOR DEGRAFF: Okay. And he was there to collect
3 that hundred and fifty dollars everyday? Or did you have to
4 document --

5 MS. MOSES: No it wasn't everyday. But for the days
6 that he did work he did receive the one fifty.

7 SENATOR DEGRAFF: Okay. It was just a little
8 confusing to me. Basically the only issue I'm addressing
9 like I told Mr. Rodriguez is the residency issue - according
10 to the Revised Organic Act Section 6B. I'm not getting
11 personal, straight forward to the question. To me you came
12 and you solidified his residency, bona fide resident here in
13 your testimony. If I'm wrong I could be corrected and then
14 we could go from there.

15 MS. MOSES: I never said he was a resident. I said
16 that he lived here and I said that he had contracts.

17 SENATOR DEGRAFF: Right, right.

18 MS. MOSES: As far as residency I can't determine
19 whether or not he was a resident or not. I think that
20 that's something that the Body has to determine.

21 SENATOR DEGRAFF: I agree. We are determining his
22 residency the best we can based on the testimonies given by
23 the individuals, the individuals that come here. Everybody
24 has been sworn. I take everybody for their face value as
25 being respectable and going to give the truth.

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1 So therefore I'm asking strictly questions in
2 regards to 6B of the Revised Organic Act. From what you
3 stated he worked based on your contract -- sixty thousand
4 dollar contract. I would assume you would want to make sure
5 he's showing up to work everyday. A thirty five thousand
6 dollar contract, I would also assume you're making sure he
7 report to work everyday.

8 TIMEKEEPER: Time.

9 SENATOR DEGRAFF: And even for a hundred and fifty
10 dollars a day, I would hope that you make sure he is showing
11 up to work everyday. So thank you very much for your
12 testimony. And thank you very much for the time Madam
13 Chair.

14 SENATOR RIVERA-O'REILLY: You are very welcome
15 Senator DeGraff. Senator "Positive" Nelson you are
16 recognized.

17 SENATOR NELSON: Thank you very much Madam Chair.
18 Good night once again to everyone. Good night to Ms.
19 Sarauw, Ms. Moses and those paying attention.

20 First of all let me tell you Ms. Sarauw I like your
21 campaign. I think it was very effective. Some of the things
22 you were saying were very I think forward thinking. And I'm
23 not just talking about your support for Cannabis. I just
24 think you ran a very good campaign, a strong campaign. I
25 think you said a lot of things that people re interested in.

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1 It is quite unfortunate that we are in this fix. No way at
2 all that we should excuse the Board of Elections for causing
3 all this mess. That's where it is.

4 Ms. Ivy - Ms. Moses, I admire you. I've seen you
5 in hearings in St. John. I have often commented to you on
6 the side several things including perhaps seeking a seat in
7 this office because I like strong women. Okay? And I think
8 that you've demonstrated strong will.

9 I don't like what's happening here tonight though.
10 It seems like there's some personal matters and it's playing
11 out. A lot of these things that's being said -- I mean if
12 he worked for you in 2013 and 2014 and when you calling out
13 these numbers here, sixty thousand dollars aint no chump
14 change. So I'm wondering like, what is HOPE? HOPE really
15 seems to have some funds because you paying Mr. Rodriquez
16 sixty thousand and thirty five thousand and one hundred
17 fifty dollars a day; that's no chump change. How many
18 employees you have there?

19 MS. MOSES: At the time we had approximately ten
20 individuals.

21 SENATOR NELSON: Ten employees. The board members
22 get paid too?

23 MS. MOSES: No.

24 SENATOR NELSON: Okay. That's just a side question.

25 Do you agree Ms. Sarauw that the time of the filing of a

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1 complaint or a challenge, that the timeline is five days
2 after nomination papers are filed?

3 MS. SARA UW: It's not what I agree on; it's what the
4 Supreme court ruling Bryan v Fawkes.

5 SENATOR NELSON: Well I don't think that's the
6 Supreme Court ruling. That's just what the regulations for
7 the Board of Elections says.

8 MS. SARA UW: They deemed the time slot invalid and
9 there's no timeframe on when new evidence is discovered. So
10 it's not what I agree on; it's what's stated.

11 SENATOR NELSON: Look, let's not get in semantics.
12 The timeline allowed for filing a complaint is five days
13 after the nomination papers are filed. We got that extracted
14 from earlier when the Board of Elections was here. It's not
15 a Supreme Court ruling. That's in the rules of the board.
16 That's there. Okay?

17 So my thing is -- that I'm saying is, they're
18 saying that it was late. The courts also said that it was
19 late. The Board of Elections said that it was late. Why
20 was it late? Had you not known prior to?

21 MS. SARA UW: Let me correct you. It's in the court
22 transcripts. The court never agreed that the filing or the
23 allegation was late. That was already established because
24 we had to prove that we never sat on the information.

25 SENATOR NELSON: Okay. So where was that established

1 that it was late?

2 MS. SARA UW: Where was it established? The only
3 person that said it was late was Ms. Fawkes and Mr.
4 Watlington.

5 SENATOR NELSON: And isn't that the regulatory
6 board for elections?

7 MS. SARA UW: Yes.

8 SENATOR NELSON: Okay good. So we don't have to
9 dispute that. I'm not here to fight you, you know.

10 MS. SARA UW: I'm not either.

11 SENATOR NELSON: And this case here is not against
12 you.

13 MS. SARA UW: No I'm not either.

14 SENATOR NELSON: So just take it easy. I mean you
15 correcting and correcting. Just hold tight. We're trying to
16 correct a confusion that was created here and it's none of
17 our fault. The board drop the ball. Neither am I trying to
18 get caught up in the mess. However we have to adjudicate
19 over the matter and that's what I'm trying to.

20 Ms. Moses, did you recently post some emails, some
21 correspondences between you and Mr. Rodriguez?

22 MS. MOSES: I did.

23 SENATOR NELSON: Why?

24 MS. MOSES: Because of comments being made about me
25 here in the Senate. Would you like me to read it?

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1 SENATOR NELSON: That's alright. Do you think the
2 filings were late?

3 MS. MOSES: To the board?

4 SENATOR NELSON: Yes.

5 MS. MOSES: I think that they were outside of the
6 time period that is allowed, but I think that they were
7 submitted in time to mandate an investigation.

8 SENATOR NELSON: The complaint was submitted when,
9 in November? In November. According to Ms. Fawkes when
10 those things should have been submitted should have been
11 like May 22nd, May 23rd, five days after the nomination
12 papers were filed. So unless I'm missing something else.
13 That's where she said the timeline should have been. So
14 that's what deems it late.

15 Now again all of this is quite unfortunate because
16 we're just caught in the middle. So I don't really have
17 many more questions for you all. I just feel that it seems
18 like some personal stuff spilled over and now we're here
19 dealing with some of this.

20 And just to throw back at my little Dems who over
21 there saying that they on the only game in town.

22 TIMEKEEPER: Time.

23 SENATOR NELSON: Well I guess I must be some kind of
24 game because you all keep lobbying me to come on board. So
25 I must be playing a good game too. Whatever it is, you sure

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1 want this ICMer on board with you team to try to remove your
2 blemishes. So whatever that means I take it as a flatter.
3 I'm flattered by it. Thank you very much accordingly.

4 Ms. Sarauw and Ms. Moses, you know, nothing
5 personal. This whole thing is a mess. And unfortunately we
6 have to deal with what's in front of us. And what seems to
7 be in front of us is the matter regarding his residency.
8 And there's nothing to date that says that he was not a
9 resident here in the Territory. Everything else I guess
10 we'll have to deal with when it comes up. Thank you.

11 SENATOR RIVERA-O'REILLY: Thank you for your
12 contribution Senator Nelson. Senator Sanes you're
13 recognized for your five minutes.

14 SENATOR SANES: I remember when we used to play
15 marbles and there was that little kid on the side, "Nah I
16 don't want to play", but he was always there wanting to jump
17 in the game. I just had a flashback I don't know why. But
18 let me go back to the statement at hand, the issue at hand.
19 That's alright we're going to talk later.

20 First of all I want to make a statement here. I
21 want to say that I don't feel that today was a waste. I
22 feel today some testimony was given from all Parties, some
23 good testimony. We had some good response from the
24 attorneys that came here. And I have to say that overall it
25 shows the future leadership of the Virgin Islands from both

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1 Parties. I have to say that for the record. So to me it
2 wasn't a waste. I think maybe we could have done and when I
3 say we, all of us, the whole system; overall there are many
4 balls dropped and we keep saying that. But I look forward
5 to seeing some type of legislation to rectify the issue
6 instead of saying over and over again that the ball dropped.

7 So Ms. Sarauw in saying that, you did stated though
8 and you made a comment and I need you to clarify something
9 in terms of new evidence is found, new evidence found. Can
10 you expound on that statement? Because I believe it was --
11 and by the way Ms. Sarauw next time you bring testimony, put
12 numbers on the page, no?

13 MS. SARAUW: I received the correspondence late from
14 the office.

15 SENATOR SANES: You know which one I'm talking
16 about. The second page, right? You saw it? It starts with
17 "Later during the court proceedings Ms. Fawkes will claim to
18 have not addressed the challenge". But you did mention the
19 Bryan case. I need you to expound on that statement.

20 MS. SARAUW: About the information?

21 SENATOR SANES: Yes.

22 MS. SARAUW: We received the information on
23 November 21st and within hours we acted on it. That was the
24 new information. And in every court case in Bryan it
25 addresses the fact that the board has the responsibility to

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1 look into a matter beyond the period that it deems valid.

2 And then Title 18, Chapter 3, Subsection 47 also says, it
3 lists I think it's between one to fourteen where the board
4 has the duty to investigate any irregularities. And that
5 wasn't done.

6 SENATOR SANES: So according to what you just
7 stated for the record, even though the deadline passed, the
8 five-day deadline that we're talking about. If there is
9 evidence or if there's new evidence that is presented, the
10 board has a duty to come and investigate. Is that correct?

11 MS. SARAUEW: Yes. The court specifically outlines
12 that. I think it's item Number 8. It's equivalent to saying
13 that okay, five days passed by and you learn that someone is
14 really under the age of 21, do you let it go by because five
15 days has passed?

16 SENATOR SANES: Okay. And it is your opinion and
17 the paragraph before which starts on November 22nd, the
18 response that you received from a member of the board was
19 just take it to court. That's basically what was stated?

20 MS. SARAUEW: To put it on the record. Mr.
21 Watlington addressed the team and myself like pions. And
22 he's never referred to me by my legal name. And when we
23 gave the challenge he tossed the paper on the side and he
24 said take it to court.

25 SENATOR SANES: So I just want to say as the last

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1 statement here that at this junction, at this timeframe,
2 there was an opportunity for the Board of Election to
3 actually clarify this issue at that time. Is that a correct
4 statement to make?

5 MS. SARA UW: That is correct.

6 SENATOR SANES: I want to thank you for your
7 testimony. I have no further questions. Thank you Madam
8 Chair for your time.

9 SENATOR RIVERA-O'REILLY: You are very welcome
10 Senator Sanes. Senator Brian Smith are you ready? Five
11 minutes.

12 SENATOR SMITH: Good evening. I want to say good
13 evening to Ms. Sarauw, Ms. Moses and Senator-Elect Rodriguez
14 and Attorney Jackson. As it looks to me, this here is just
15 a classic case of bellyaching gone too far. That's what it
16 look like bellyaching gone way too far.

17 I want to ask Ms. Sarauw. How much votes you had
18 gotten in the last election, in the general election?

19 MS. SARA UW: Three thousand something. I really
20 can't remember.

21 SENATOR SMITH: Okay. Were you in the top seven?

22 MS. SARA UW: No.

23 SENATOR SMITH: Okay. Did you win a Primary
24 election?

25 MS. SARA UW: I'm an Independent candidate so I would

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1 never be in a Primary election.

2 SENATOR SMITH: Okay. The question is no right?
3 For this one.

4 MS. SARA UW: Precisely.

5 SENATOR SMITH: No. Did you win the general
6 election?

7 MS. SARA UW: No I did not.

8 SENATOR SMITH: Okay. Were you ever certified?

9 MS. SARA UW: No.

10 SENATOR SMITH: Okay. That's all I'm trying to
11 say. It appears to me like a classic case of bellyaching.
12 Let's take a look at the reason why we're here. The reason
13 why we're here is to determine residency, to determine
14 residency. That's why we're here. So if we analyze and
15 watch what's being exemplified as far as the question with
16 Ms. Moses, it could almost appear that there was some degree
17 of conflict that spilled over into this election process.

18 I want to know right now, is there a chance that
19 everyone knew that -- when I say everyone I mean say
20 possibly you, possibly Ms. Moses, that the situation
21 regarding Mr. Rodriguez' file for bankruptcy was known well
22 in advance to the conclusion of the general election?

23 MS. SARA UW: I had no idea that Mr. Rodriguez filed
24 bankruptcy in any court in Tennessee until November 21st,
25 when I received the email. There were talks on the radio of

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1 course that he didn't live here, but I had no idea of any of
2 Mr. Rodriquez' personal business.

3 SENATOR SMITH: Well I'm glad to know that because
4 what I was thinking in the back of my mind is this.
5 Everyone anticipate or possibly anticipated that
6 Senator-Elect was going to lose the election. So when they
7 figure he was going to lose the election, there was no real
8 reason to want to drop this thing here or pull out this
9 card. But at the end of the day what happened was this.
10 Senator-Elect Rodriquez he won the election. He actually
11 came in 6th. So people just got disgruntled; whether it was
12 former employer or whether it was competitors and that's
13 where all of this situation stemmed from.

14 But the thing what's bothering me the most is this.
15 A former employer just said that Mr. Rodriquez been a full
16 employee from 2013, the whole of 2013. I heard also that one
17 employee, one board member was saying that he was constantly
18 asking can I get my residency changed and was constantly
19 being denied. So I wonder, was this a setup for down the
20 road? That's all I'm trying to get at. Was this a set up?
21 Okay let's leave that alone now.

22 One more question I want to ask. What's your
23 opinion to why your relationship Ms. Moses and the candidate
24 or Senator-Elect Rodriquez went sour? Why it went sour and
25 what's causing this tension up to current? What is it; tell

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1 me please.

2 MS. MOSES: Senator Smith, Mr. Rodriquez'
3 testimony I did not hear. I was at the hospital. There was
4 a fire alarm. I was locked out. I did not see or hear his
5 testimony. I received a text message -- actually several
6 text messages about the testimony, most of which I was very
7 shocked to learn. So I honestly cannot tell you where what
8 went sour and what didn't go sour; nor do I think that the
9 purpose of me being here is to discuss what went sour or
10 didn't go sour. I was asked to present on behalf of the
11 agency the address and information specific.

12 SENATOR SMITH: Okay thank you; thank you. Hold up.
13 That's good.

14 MS. MOSES: -- to Mr. Rodriquez at HOPE.

15 TIMEKEEPER: Time.

16 SENATOR SMITH: Let me finish up.

17 SENATOR RIVERA-O'REILLY: You may proceed.

18 SENATOR SMITH: I just want to thank you very much
19 for disclosing that Mr. Rodriquez did work for you back in
20 2013 and he earned sixty thousand dollars and the subsequent
21 year he worked for you and he earned thirty five thousand
22 dollars. That testimony of yours was extremely helpful. I
23 really appreciate you sharing that to the whole entire Body
24 here this evening. I want to thank you again.

25 SENATOR RIVERA-O'REILLY: You're so very welcome

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1 Senator Smith. Senator Francis you're recognized for your
2 five minutes.

3 SENATOR FRANCIS, JR: Thank you. Thank you very much
4 Madam Chair. Good evening to the latest round of
5 testifiers. Ms. Sarauw and Ms. Moses I want to thank you
6 for your testimony this evening. Again I appreciate your
7 candor in the testimony that you provided to us. I want to
8 say Ms. Sarauw that I've been impressed as well with your
9 campaign as a young individual in this community as well as
10 a young gentleman Mr. Emanuel on St. Croix. And I truly
11 believe that you guys are the future and we need to
12 certainly support getting those new breed of senators into
13 the senate.

14 I also like the fact that you have a Forward
15 Movement. Focus Forward is my motto and I like your forward
16 movement. And I hate the fact that again you are faced with
17 this situation similar to what Mr. Kevin Rodriguez the
18 Senator-Elect is facing as well. So I'm hoping that at some
19 point there would be some resolution to these matters and we
20 could start to proceed.

21 I wanted to ask you, in this whole situation with
22 the back and forth with the courts in the matter of trying
23 to decide the fifteenth member, have you had an opportunity
24 to meet with Senator-Elect Kevin Rodriguez and had a
25 discussion, mediation, any discussion at all in respect to

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1 this whole matter?

2 MS. SARAUEW: We haven't had a discussion. We talked
3 on the campaign trail a few times, sharing ideas. There was
4 no animosity. And there still is no animosity. But at
5 Virgin Haven I remember one night a similar discussion and
6 him telling me he'll sue for every penny we have and his
7 money long and a few things he said that weren't really in a
8 positive tone. But I assured him that nothing about what is
9 being done or what was done was personal. It was a matter
10 of the law, what I felt was right. Up to now I haven't
11 launched any personal attacks against Mr. Rodriguez.

12 SENATOR FRANCIS, JR: And obviously you felt that
13 he had the same vigor and tenacity to see this case through
14 as you did and that's the reason you continue to pursue it
15 as well as he has pursued it as well, correct?

16 MS. SARAUEW: Yeah. He has the right to seek legal
17 redress in any court. He's a citizen too so he has that
18 right.

19 SENATOR FRANCIS, JR: Thank you for that. Ms. Moses.

20 MS. MOSES: Good evening sir.

21 SENATOR FRANCIS, JR: Good evening. Were you a board
22 member of the Board of Election that certified Kevin
23 Rodriguez? Were you a board member on November 22nd of
24 2016?

25 MS. MOSES: Yes I was.

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